

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicants have amended claims 1, 16, 26 and 32. Accordingly, claims 1, 3-9, 11-12, 14-17, 19-21, 24-29 and 31-46 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Examiner's Response to Arguments

In paragraph 2 of the Office Action, the Examiner re-affirmed the prior rejections of claims 1, 16, 24, 26 and 32. Applicant has amended claims 1, 16, 26 and 32 to reflect that zone information is directly transmitted to a mobile station. As such, the present invention is clearly distinguishable from Marsolais (US 6,088,598). Because, in the present invention, zone information is transmitted directly to the mobile station, it is not equivalent to the Mobile Switching Center (MSC) of Marsolais. An MSC is the switching center of a mobile phone network. The MSC has interfaces to the base station controllers (BSCs), home location register (HLR), visitor location register (VLR) and other MSCs, not to mobile terminals, as is well known in the art. The MSC routes data through a base station subsystem, which then sends information to the mobile terminal via a base station transceiver. In other words, an MSC is incapable of receiving a zone information request from a mobile terminal and wirelessly transmitting allocated zone information to a mobile station. Claim 24 depends from amended claim 16 and recites further limitations in combination with the novel elements of claim 16. Therefore, the allowance of claims 1, 16, 24, 26 and 32 is respectfully requested.

3.) Claim Rejections – 35 U.S.C. § 112

The Examiner rejected claims 37, 41, 42 and 46 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Applicant respectfully traverses the rejection. Support for the limitations can be found in the application at paragraph [0010], [0043]-[0048], and Figs. 5-7. Therefore, the allowance of claims 37, 41, 42 and 46 is respectfully requested.

4.) Claim Rejections – 35 U.S.C. § 102(e)

The Examiner rejected claims 26, 28 and 29 under 35 U.S.C. § 102(e) as being anticipated by Marsolais. As noted above, claim 26 has been amended to reflect that zone information is directly transmitted to a mobile station. As such, the present invention is clearly distinguishable from Marsolais (US 6,088,598). Because, in the present invention, zone information is transmitted directly to the mobile station, it is not equivalent to the MSC of Marsolais. For anticipation, a single reference must identically disclose every element of the claimed invention. *Coming Glass Works v. Sumitomo Electric*, 9 USPQ 2d 1962, 1965 (Fed. Cir. 1989). A reference that excludes a claimed element, no matter how insubstantial or obvious, is enough to negate anticipation. *Connell v. Sears, Roebuck & Co.*, 220 USPQ 193, 198 (Fed. Cir. 1983). Claims 28 and 29 depend from amended claim 26 and recite further limitations in combination with the novel elements of claim 26. Therefore, the allowance of claims 26, 28 and 29 is respectfully requested.

5.) Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 3-6, 8-16, 19-21, 24-25, 31-36, 38-40 and 45 under 35 U.S.C. § 103(a) as being unpatentable over Marsolais in view of Novak (US 6,571,103). It is noted that claims 10 and 13 were previously canceled. As noted above, claims 1, 16, 26 and 32 have been amended to reflect that zone information is directly transmitted to a mobile station. The MSC of Marsolais does not transmit information directly to a mobile terminal. Rather, as noted at column 7, lines 8-26 of Marsolais, the MSC sends commands via a base station (BS) to the MS. As such, an MSC is not “interoperable with the first transmission means” of a mobile terminal. Nor does Novak disclose the transmission of zone information directly to a mobile terminal. Hence Marsolais and Novak do not disclose, nor do they suggest, in combination, the cited elements of claim 1. Further, Marsolais and Novak do not disclose, nor do they suggest, in combination, all of the elements of dependent claims 3-6, 8-9, 11-12 and 14-15.

Claims 3-6, 8-9, 11-12 and 14-15 depend from amended claim 1 and recite further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claims 3-6, 8-9, 11-12 and 14-15 is respectfully requested.

Regarding claims 16, 19-21, and 24-25, as noted above with respect to claim 16, the MSC of Marsolais does not transmit information directly to a mobile terminal. Rather, as noted at column 7, lines 8-26 of Marsolais, the MSC sends commands via a base station (BS) to the MS. As such, an MSC is not "interoperable with the first transmission means" of a mobile terminal. Nor does Novak disclose the transmission of zone information directly to a mobile terminal. Hence Marsolais and Novak do not disclose, nor do they suggest, the cited elements of claim 16 and dependent claims 19-21, and 24-25. Claims 19-21 and 24-25 depend, directly or indirectly, from amended claim 16 and recite further limitations in combination with the novel elements of claim 16. Therefore, the allowance of claims 19-21 and 24-25 is respectfully requested.

Regarding claim 31, which is dependent on claim 26, claim 26 has been amended to reflect that zone information is directly transmitted to a mobile station. As such, the present invention is clearly distinguishable from Marsolais. Because, in the present invention, zone information is transmitted directly to the mobile station, it is not equivalent to the MSC of Marsolais. Claim 31 depends from amended claim 26 and recites further limitations in combination with the novel elements of claim 26. Therefore, the allowance of claim 31 is respectfully requested.

Regarding claims 32-34 and 45, the steps performed by the MSC of Marsolais are not equivalent to the steps performed by the zone information transceiver of independent claim 32. Nor does Novak disclose the steps performed by a zone information transceiver. Hence Marsolais and Novak do not disclose, nor do they suggest, the cited elements of claim 32 and dependent claims 33-34 and 45. Therefore, the allowance of claims 32-34 and 45 is respectfully requested.

Regarding claims 35-36, as noted above, claim 1 has been amended to reflect that zone information is directly transmitted to a mobile station. The MSC of Marsolais does not transmit information directly to a mobile terminal. As such, an MSC is not "interoperable with the first transmission means" of a mobile terminal. Hence Marsolais does not disclose, nor does it suggest, the cited elements of claim 1 nor does it disclose

all of the elements of dependent claims 35-36. Claims 35-36 depend, directly or indirectly, from amended claim 1 and recite further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claims 35-36 is respectfully requested.

Regarding claims 38-40, as noted above with respect to claim 16, the MSC of Marsolais does not transmit information directly to a mobile terminal. Rather, as noted at column 7, lines 8-26 of Marsolais, the MSC sends commands via a base station (BS) to the MS. As such, an MSC is not "interoperable with the first transmission means" of a mobile terminal. Hence Marsolais does not disclose, nor does it suggest, the cited elements of claim 16 and dependent claims 38-40. Claims 38-40 depend, directly or indirectly, from amended claim 16 and recite further limitations in combination with the novel elements of claim 16. Therefore, the allowance of claims 38-40 is respectfully requested.

The Examiner rejected claims 7, 17, 37, 41 and 46 under 35 U.S.C. § 103(a) as being unpatentable over Marsolais in view of Novak further in view of Alberty, et al. (US 6,178,330). Claim 1, from which claims 7 and 37 depend, claim 16, from which claims 17 and 41 depend, and claim 32 from which claim 46 depends, have each been amended to reflect that zone information is directly transmitted to a mobile station. As such, the present invention is clearly distinguishable from Marsolais. Nor do Novak and Alberty disclose that zone information is directly transmitted to a mobile station. Claims 7 and 37 depend from claim 1 and recite further limitations in combination with the novel elements of claim 1. Claims 17 and 41 depend from claim 16 and recites further limitations in combination with the novel elements of claim 16. Claim 46 depends from amended claim 32 and recites further limitations in combination with the novel elements of claim 32. Therefore, the allowance of claims 7, 17, 37, 41 and 46 is respectfully requested.

The Examiner rejected claim 27 under 35 U.S.C. § 103(a) as being unpatentable over Marsolais in view of Pass (US 2004/0078354). Claim 27 is dependent on amended claim 26. As noted above with respect to Claim 26, the MSC of Marsolais is not equivalent to the zone information transmitter of claim 27. Claim 27 depends from

claim 26 and recites further limitations in combination with the novel elements of claim 26. Therefore, the allowance of claim 27 is respectfully requested.

The Examiner rejected claim 42 under 35 U.S.C. § 103(a) as being unpatentable over Marsolais in view of Alberty, et al. Claim 26, from which claim 42 depends, has been amended to reflect that zone information is directly transmitted to a mobile station. As such, the present invention is clearly distinguishable from Marsolais. Because, in the present invention, zone information is transmitted directly to the mobile station, it is not equivalent to the Mobile Switching Center (MSC) of Marsolais. As noted above with respect to Claim 26, the MSC of Marsolais does not transmit information to a mobile terminal. Rather, as noted at column 7, lines 8-26 of Marsolais, the MSC sends commands via a base station (BS) to the MS. Nor does Alberty disclose a zone information transmitter. Hence Marsolais and Alberty do not disclose, nor do they suggest, all of the elements of claim 42. Claim 42 depends from claim 26 and recites further limitations in combination with the novel elements of claim 26. Therefore, the allowance of claim 42 is respectfully requested.

The Examiner rejected claim 43 under 35 U.S.C. § 103(a) as being unpatentable over Marsolais. Claim 26, from which claim 43 depends, has been amended to reflect that zone information is directly transmitted to a mobile station. As such, the present invention as claimed in claim 43 is clearly distinguishable from Marsolais. Because, in the present invention, zone information is transmitted directly to the mobile station, it is not equivalent to the Mobile Switching Center (MSC) of Marsolais. As noted above with respect to Claim 26, the MSC of Marsolais does not transmit information to a mobile terminal. Rather, as noted at column 7, lines 8-26 of Marsolais, the MSC sends commands via a base station (BS) to the MS. Hence Marsolais does not disclose, nor does it suggest, all of the elements of claim 43. Claim 43 depends from claim 26 and recites further limitations in combination with the novel elements of claim 26. Therefore, the allowance of claim 43 is respectfully requested.

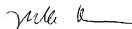
None of the references made of record alone disclose, nor in combination disclose nor suggest, the present invention.

CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1, 3-9, 11-12, 14-17, 19-21, 24-29 and 31-46.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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Date: 11/15/06

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